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2007 APR 19 12:46
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AQUA ILLINOIS, INC.)
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Petition For Issuance Of A Certificate Of)
Public Convenience And Necessity To)
Operate A Water Supply And Distribution)
System In Kankakee County, Illinois And For)
The Issuance Of An Order Approving Rates,)
Accounting Entries and Tariff Language)

Docket No. 06-0203

REPLY BRIEF

OF

SANDRA L. HARTMAN

INTERVENER

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April 16, 2007

I am still convinced that the sale of Manteno's water system is not in the best interest for the citizens of Manteno. The letter Aqua refers to is an update letter by Baxter and Woodman dated November 8, 2006 exhibit TJB-4.1. It states "following is a discussion of Baxter and Woodman's initial findings on long term water supply options as compared to additional constraints that have now come to light". November 8 is the day before the ICC forum was held in Manteno on November 9th. It is clear Baxter and Woodman was not aware of the limited water supply under bulk sale until then. It appears to me that Manteno did not like the outcome of their (Baxter and Woodman) initial recommendations so they sought out Richard Simms from KARMA, who has a business relationship with Aqua, to negotiate the sale with Aqua. It appears to me from all evidence submitted that November 8 is the first time in the record that the limited water supply and pressure option was brought to light – I wonder if this was done to appease the people of Manteno the following day at the forum. This update letter was not sought out until 11 months after the Village Board voted to sell to Aqua and a month after I filed my direct testimony. Aqua states the reasons that Baxter and Woodman originally offered for opposing the sale is, the Village system to Aqua would have a decrease in customer service. According to Baxter and Woodman's letter they are standing strong on that portion of their report. They state that services will suffer which I also agree with. A few examples of this are flushing hydrants during the day instead

the night (which affects everyone due to water pressure) which they said they do as stated in cross examination, traveling 15 miles to go to the office compared to everyone in Manteno only having to travel or even walk one mile or less - with gas prices today that affects all citizens on fixed incomes thus another hardship and another major issue the personal customer service the citizens would no longer be a name but a number. Presently there are 3,500 meters but under the sale there would be 80,000.

Aqua alleges that I allege that the Village water quality problems have been resolved and the 2005 violations were only paperwork violations. That is how they were explained to me by Mr. Gunderman of the EPA and that is how they are listed on the internet as I stated. It appears that our water quality problems have been resolved. It appears that in 2006 there were no positive coliform samples before treatment or after treatment. Mr. Racoky states in direct cross examination that there have been no problems and samples have come back clear. The letter from the EPA that Aqua refers to no longer reflects the conditions of the Manteno system. Since Mr. Blanchette was removed from his position and Aqua took over test results have been excellent. Mr. Racoky stated that in the cross examination that they have had no problems with the EPA and samples have been good. The compliance commitment agreement was setup by Manteno and it has been changed and I am sure it can be changed again with the excellent record that has since taken place after the removal of the personnel taking the water samples.

On page 11 of Aqua's initial brief again they make an error on a date. They show a date of November 8, 2005 which makes it look like it was written a month before the sale instead of 11 months after the sale and the night before the public hearing in Manteno. The correct date should read November 8, 2006, 11 months after the sale!

Regarding the issue of the water pressure, from the evidence of the earliest I can see the amount of supply and water pressure only became part of the equation the night before the hearing. There had been no mention of these issues prior to that, which leads me to believe that it was only brought up to satisfy the people at the hearing that would be objecting to the sale.

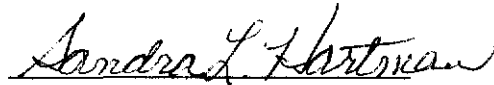
Aqua states that I am not aware of what it would take to run a treatment plant or the necessary infrastructure to buy bulk water, I am not an engineer but I fully understand that it would take money. There are low interest government/EPA programs to help communities in our situation. If we had our own plant, yes our rates would have to increase and maybe even be more than Aqua's but we would retain our asset and raises would only be necessary to cover as needed maintenance and operations. Aqua has raised their rates three times over the last six years and they have to support CEO's and shareholders. Baxter and Woodman's recommendations relied on the village to grow at a very rapid rate. They state to date their projections have fallen short. Growth has slowed but this would allow us to build on a smaller scale. Their projections on everything were

probably overstated so more than likely it would not cost their original cost projection. If the sale is allowed to go through to Aqua we will lose our competitive edge to our neighbors to the west, north, and northeast who have much lower rates than we do and own their own systems. Owning our own water system has been a plus for Manteno.

In closing I feel if we are going to have higher rates it should be for ownership of our own water system thus retaining Manteno's most precious asset. Water is a valuable resource and a necessity of life with no alternatives and should never be subject to private ownership. I feel this proposal was never presented openly to Manteno's population. We were told there would be hearings, there were none, there was never a referendum, it was not a unanimous board decision it was a decision made by a few individuals that will affect the citizens of Manteno and the future citizens. This incredibly major decision affecting the future of Manteno should have been presented openly, fairly and all facts in place. If this was clearly the best outcome for Manteno it would have been dealt with in the manner they originally said would take place instead of a quick and quiet attempt to sell.

I pray that you will deny Aqua Illinois Incorporated's request before it is presented before the commission. Please put this major decision in the hands of the citizens of Manteno instead of a select few citizens.

Respectfully submitted,

A handwritten signature in cursive script, reading "Sandra L. Hartman".

Sandra L. Hartman
Intervener

April 16, 2007

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